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E-Filed: 8/20/07

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

STATUS AND AGENDA FOR AUGUST 23, 2007 HEARINGS

Date of Hearing: August 23, 2007
Time of Hearing: 9:30 a.m.
10:30 a.m.

Affects:

- ☒ All Debtors
- ☐ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

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9:30 a.m.

1. **Motion to Close Case And Request For Final Decree** Filed by LENARD E. SCHWARTZER on behalf of USA CAPITAL FIRST TRUST DEED FUND, LLC [DE 4242]

Related Filings: Response Filed by SHLOMO S. SHERMAN on behalf of 8/14/2007 OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC (Related document(s)[4242] [DE 4493]

Status:

2. Adv. 07-01150, Compass USA SPE LLC v. USA Commercial Mortgage Company, et al., **Motion to Dismiss Adversary Proceeding Pursuant to Federal Rule of Civil Procedure 12(b)(6)** Filed by SHLOMO S. SHERMAN on behalf of OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC, the Authorized Representative of USA CAPITAL FIRST TRUST DEED FUND, LLC in Adversary Proceeding No. 07-01150 [DE 7]

Related Filings: Notice of Dismissal (one party). of Defendant USA Capital First Trust Deed Fund, LLC From Complaint for Conditional Revocation of Confirmation Order Under 11 U.S.C. Sec. 1144 and Rescission of Asset Purchase Agreement [DE 12]

Status:

3. **USACM Liquidating Trust's Motion to Classify Claims Filed by Pecos Professional Park Limited Partnership in Plan Class A-7, and Reservation of Counterclaims and Objections** Filed by ROB CHARLES on behalf of USACM LIQUIDATING TRUST (CHARLES, ROB)(Entered: 03/13/2007) [DE 3081]

Related Filings: 04/19/2007 Opposition Filed by JEFFREY R. SYLVESTER on behalf of PECOS PROFESSIONAL PARK, LLC [DE 3494]

Status: Due to the appointment of a trustee for the estates of Hantges and Milanowski and the impact of those developments upon control of Pecos Professional Park, LLC, the USACM Liquidating Trust will request a continuance of this status hearing.

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1 4. **Motion to Extend Time to Object *Motion to Bridge Deadline to File***
2 ***Objection to Allowance of Claims*** Filed by ROB CHARLES on behalf of USACM
LIQUIDATING TRUST [DE 4404]

3 **Status:** No opposition filed.
4

5 **10:30 a.m.**
6

7 1. Adv. 06-01256-lbr USA COMMERCIAL MORTGAGE COMPANY et al v
8 REALE et al, **Motion to Strike *Jury Demand; Memorandum of Points and Authorities***
9 Filed by ANNE M. LORADITCH on behalf of OFFICIAL COMMITTEE OF EQUITY
SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC
[DE 274]

10 **Related Filings:** Ex Parte Motion for Order Shortening Time *for Motion to Strike*
11 5/10/2007 *Jury Demand; Memorandum of Points and Authorities* Filed by
ANNE M. LORADITCH on behalf of USA CAPITAL
12 DIVERSIFIED TRUST DEED FUND, LLC (Related
13 document(s) [274] Motion to Strike filed by Interested Party
OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS
14 OF USA CAPITAL DIVERSIFIED TRUST DEED FUND,
LLC.) [DE 275].
15 5/15/2007 Order Granting Ex Parte Application for Order Shortening Time
16 for Hearing on Motion to Strike Jury Demand (Related
17 document(s) [275]). Hearing scheduled 5/31/2007 at 02:30 PM at
LBR-Courtroom 1, Foley Federal Bldg.
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1 **Opposition Filed:** Opposition of Great White Defendants *TO PLAINTIFF USA*
2 *5/22/2007* *CAPITAL DIVERSIFIED TRUST DEED FUND, LLC'S MOTION*
3 *TO STRIKE JURY DEMAND* Filed by PETER W. GUYON on
4 behalf of BOB ALUM, FRANK J. BELMONTE, JR., JEAN
5 JACQUES BERTHELOT, GARY BRENNAN, WILLIAM F
6 ERRINGTON, HARV GASTALDI, GREAT WHITE
7 INVESTMENTS, NV, INC., VINCENT GREEN, JAYEM
8 FAMILY LTD PARTNERSHIP, AIMEE KEARNS, KLAUS
9 KOPF, ARLENE KRAUS, BERNARD KRAUS, JOSEPH B.
10 LAFAYETTE, JASON G LANDESS, SVEN LEVIN, JACQUES
11 M. MASSA, Betty Phenix, R&N REAL ESTATE
12 INVESTMENTS, R.G.T. MILLER (TRUSTEE), DENNIS F.
13 SIPIORSKI, DAVID STIBOR, KENNETH TRECHT, ROBERT
14 J. VERCHOTA, STEVE WALTERS, RUSSELL J. ZUARDO
15 [DE 323]
16
17 **Joinder Filed:** Joinder of Craig Orrock Defendant in Opposition of Great White
18 *5/22/2007* Defendants to Plaintiff USA Capital Diversified Trust Fund,
19 LLC's Motion to Strike Jury Demand [DE 332]
20
21 **Reply Filed:** Reply in Support of Motion to Strike Jury Demand Filed by
22 *5/29/2007* ANNE M. LORADITCH on behalf of USA CAPITAL
23 DIVERSIFIED TRUST DEED FUND, LLC [DE 341]
24
25 **Status:** This matter is being prosecuted by counsel for HMA Sales, LLC
26 and USA Capital Diversified Trust Deed Fund, LLC.

DATED: August 20, 2007.

LEWIS AND ROCA LLP

By: /s/ Rob Charles (#6593)
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Counsel for USACM Liquidating Trust

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1 Copy of the foregoing e-mailed
2 this 20th day of August, 2007 to:

3 All parties listed on the Post Effective Date
4 Official Service List on file with the Court

5 By: Marilyn Schoenike
6 Marilyn Schoenike